

ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE REGULATORY CONTACT RECORD

Date/Time: February 13, 2002/ 4:45 p.m.

Site Contact(s): Ted A. Hopkins
Phone: 303-966-7652

Regulatory Contact: James Hindman
Phone: 303-692-3345

Agency: CDPHE

Purpose of Contact: Request for Extension to the Mixed Residue Consent Order

Discussion

Following the consultative process outlined in RFCA, B776/777 Environmental Compliance personnel requested that the Mixed Residue Consent Order be either terminated or extended to meet the D&D schedule for the Project. The Mixed Residue Consent Order/Tank Management Plan currently requires that B776/777 tank systems be removed or rendered physically empty by December 30, 2002. A Draft Minor Modification (Mod #8) to the B776/777 DOP along with a table of clarification was provided to CDPHE to help justify this proposal. The table clearly demonstrated that all Mixed Residue Tanks in B776/777 had been removed or were physically empty. However, not all the piping and ancillary equipment have been tapped and drained. As a result, residual liquids may be present in portions of these systems. Project personnel put forth the argument that the small amount of residual liquid remaining in the Mixed Residue Tank systems did not represent a threat to human health and the environment. In addition, it makes more sense to remove the remaining piping and ancillary equipment in accordance with the existing D&D schedule rather than surgically remove these portions of the tank systems out of sequence.

On Wednesday, February 13th, Mr. Hindman notified Ted Hopkins that CDPHE would support extending the Mixed Residue compliance schedule to match the B776/777 D&D schedule. However, the process to extend a Consent Order compliance deadline is not a DOP Mod. The formal process is defined in Paragraph 32 of the Mixed Residue Consent Order which states, "an enforceable commitment date shall be changed upon delivery to the Department of a timely written request for change to the date, and the Department finds good cause exists. A request for a change shall be submitted in writing and shall include: the commitment date to be changed, length of the change, the cause for the change, and any related regulatory milestone or enforceable commitment date that may be

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affected if the change is granted.” Such a request will be prepared by Karan North and submitted jointly by K-H and DOE.

With the extension to the Consent Order being handled through a letter, Minor Mod #8 will consist solely of closure plans for specific RCRA units within the building. Requests to terminate or extend the Mixed Residue Consent Order previously contained in Mod #8 will be deleted.

Contact Record Prepared By: Ted A. Hopkins

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